

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

Mikel Joe COSSEY

United States District Court
Southern District of Texas
FILED

CASE NUMBER:

m-13-1186-m

JUL 03 2013

Clerk of Court

UN SEALED

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 1, 2009 in Hidalgo county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally possess with the Intent to Distribute approximately 1,000 kilograms of Marijuana, a Schedule I Controlled Substance.

Knowingly and Intentionally conspire to possess with the Intent to Distribute approximately 1,000 kilograms of Marijuana, a Schedule I Controlled Substance.

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Special Agent and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof:

X Yes

No

Signature of Complainant

Omar Cervantes, Special Agent

Sworn to before me and subscribed in my presence,

July 3, 2013

Date

At

McAllen, Texas

City and State

Dorina Ramos, U.S. Magistrate Judge

Name & Title of Judicial Officer

Dorina Ramos

Signature of Judicial Officer

ATTACHMENT A

In December 2010, Drug Enforcement Administration (DEA) agents began conducting an investigation into a drug trafficking organization (DTO) responsible for transporting large amounts of marijuana from the Rio Grande Valley area to Arkansas. Throughout this investigation, agents have received information from several sources and cooperating defendants.

A cooperating defendant (CD1) informed agents that CD1 began working with this organization in about June of 2009. CD1 stated that CD1 worked as a truck driver for the organization, responsible for transporting loads marijuana via tractor-trailer from the Rio Grande Valley to Mikel COSSEY (COSSEY). CD1 stated that he delivered loads of marijuana to COSSEY in Arkansas and Oklahoma on eight (8) occasions.

CD1 stated that on or about June 2009, members of the DTO loaded six (6) duffel bags containing one hundred eighty (180) pounds of marijuana into a tractor-trailer in Donna, Texas. CD1 stated that he transported the marijuana to Sallisaw, Oklahoma and delivered it to COSSEY at the Cherokee Casino. The next day CD1 was paid twenty thousand five hundred (\$20,500) dollars for the trip.

CD1 stated that a second load occurred in July of 2009 and involved two hundred sixty four (264) pounds of marijuana. CD1 stated that several of workers loaded green duffel bags containing marijuana into a tractor-trailer in Donna, Texas. CD1 was told that the amount of marijuana was two hundred sixty-four (264) pounds. CD1 stated that he delivered the marijuana to COSSEY at the Cherokee Inn in Roland, Oklahoma. CD1 stated that the marijuana was loaded into COSSEY's vehicle. CD1 stated that COSSEY paid a member of the DTO, who in turn paid CD1 twenty-five thousand (\$25,000) dollars and was promised an additional eight thousand (\$8,000) dollars for the remaining balance.

CD1 stated that a third load consisted of eighty (80) pounds of marijuana. CD1 stated that he transported the marijuana to a truck stop in Sallisaw, Oklahoma. CD1 stated that a worker took the marijuana and placed the marijuana in COSSEY's truck. CD1 was provided two thousand (\$2,000) dollars and instructed to travel to the Cherokee Inn in Roland, Oklahoma. The next day COSSEY paid an undetermined amount of money to a member of the DTO, who in turn paid CD1 the remaining balance of eight thousand (\$8,000) dollars.

CD1 stated that a fourth trip in September of 2009 involved one thousand three hundred (1,300) pounds of marijuana. CD1 stated that the marijuana was loaded at a ranch in Progresso, Texas. CD1 stated that he transported one thousand (1,000) pounds to Dallas, Texas and transported the remaining three hundred (300) pounds of marijuana to an abandoned truck stop in Sallisaw, Oklahoma. CD1 stated that the marijuana was loaded into COSSEY truck. CD1 was told that he would be paid once COSSEY finished selling the marijuana.

CD1 stated that a fifth trip consisted one thousand two hundred fifty (1,250) pounds of marijuana. CD1 transported delivered one thousand (1,000) pounds of marijuana to Dallas, Texas and the remaining two hundred fifty (250) pounds to Sallisaw, Oklahoma. CD1 stated that the marijuana again was placed in COSSEY's truck.

CD1 stated that a sixth trip involved one thousand six hundred (1,600) pounds of marijuana which was driven from the Rio Grande Valley and delivered to COSSEY in Russellville, Arkansas. CD1 was later told that only one thousand (1,000) pounds remained in Russellville and the remainder was transported to West Memphis, Tennessee.

CD1 stated that a seventh trip in November 2010 again involved one thousand six hundred (1,600) pounds of marijuana which was delivered to COSSEY at a chicken ranch in Russellville, Arkansas.

CD1 stated that his eighth trip involved the one thousand two hundred thirty three (1,233) pounds of marijuana which he was apprehended transporting on December 3, 2010 as he traveled through the Falfurrias, Texas Border Patrol checkpoint. CD1 stated that he picked up the tractor trailer which had been loaded with the marijuana and was on his way to deliver the marijuana to COSSEY when he was arrested.

On July 6, 2011, under the direction of DEA agents, CD1 met with COSSEY and his wife in Russellville, Arkansas. During the recorded conversations, COSSEY and CD1 discussed their past and possible future narcotic activities. In the conversation, COSSEY admitted to his involvement with other conspirators, as well as the marijuana that was seized from CD1 at the U.S Border Patrol checkpoint in December 2010. COSSEY also agreed to receive a future shipment of marijuana from CD1.

During interviews, another cooperating defendant (CD2) stated that during 2009, he and others assisted in the loading four (4) loads of marijuana at two (2) separate ranches located in the Rio Grande Valley. CD2 stated that the tractor-trailer driver of those loads was CD1 who transported and delivered the marijuana to COSSEY in Russellville, Arkansas. Additionally, CD2 stated that he and others assisted in the loading of five hundred (500) pounds of marijuana, which was destined for COSSEY in Arkansas but it was seized in Dallas, Texas.

During interviews, an additional cooperating defendant (CD3) stated that in early 2010, he and others began supplying between 900 to 1000 pound loads of marijuana to COSSEY. CD3 stated that the marijuana was loaded into tractor- trailers at different ranches in the Rio Grande Valley. CD3 identified CD1 as the driver of those loads. CD3 further stated that he sent CD2 to follow the loads to Russellville, Arkansas to make sure everything went right. CD3 stated that there were five successful loads of marijuana which were transported to Russellville, Arkansas and two unsuccessful loads. CD3 stated that one of the unsuccessful loads occurred in December 2010 when CD1 was arrested. According to CD3, the other unsuccessful load occurred when approximately five hundred and forty-two (542) pounds of marijuana was seized in Waxahachie, Texas. CD3

stated both of these loads were also destined for COSSEY in Russellville, Arkansas.

During interviews, another cooperating defendant (CD4) stated that on July 4, 2011, CD4 and another individual successfully transported approximately 30 to 50 pounds of marijuana from south Texas to Russellville, Arkansas for COSSEY. CD4 stated COSSEY and others took possession of the marijuana at COSSEY's residence. CD4 was paid one thousand five hundred (\$1,500) U.S. Currency for transporting the marijuana. CD4 also stated that on a second trip in August of 2011, CD4, another individual, COSSEY, and COSSEY's wife traveled from Arkansas to Weslaco, Texas. CD4 stated that COSSEY left the rented hotel room and returned carrying a white Hefty trash bag with marijuana. CD4 stated that COSSEY and his wife wrapped the marijuana in the room. CD4 and the other individual stated that COSSEY placed the marijuana in CD4's vehicle. CD4 and the other individual left the hotel and traveled to the Border Patrol checkpoint. At the United States Border Patrol checkpoint, CD4 and the other individual were apprehended with approximately twenty-two (22) pounds of marijuana. CD4 and the other individual informed the Border Patrol agents that the owner of the marijuana was COSSEY and that COSSEY and his wife would be arriving at the checkpoint shortly in a yellow Hummer. Shortly thereafter, COSSEY and his wife arrived at the checkpoint in a yellow Hummer and were arrested. Subsequent to his arrest, COSSEY made statements to a source of information that his case was going to be dismissed because he was going to be charged soon with a larger conspiracy charge.